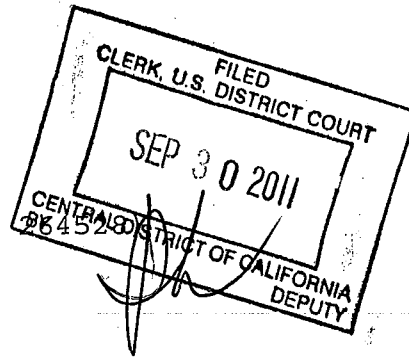


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United States of America

10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 IN THE MATTER OF THE)
13 EXTRADITION OF)
14 VICENTE PONCE VILLANU,)
15 *T/D VICENTE PONCE VILLASENOR*)
16 A Fugitive from the)
17 Government of the Republic)
of Mexico.)

NO. 11-2205M

~~PROPOSED~~ ORDER GRANTING
GOVERNMENT'S REQUEST FOR
DETENTION

18 Upon consideration of the request of the United States for
19 the detention of fugitive VICENTE PONCE VILLANU pending
20 extradition proceedings, and good cause therefor appearing,

21 IT IS HEREBY ORDERED that said request is GRANTED, the Court
22 making the following findings of fact and conclusions of law:

23 1. In foreign extradition matters there is a presumption
24 against bail and only "special circumstances" will justify
25 release on bail. United States v. Salerno, 878 F.2d 317, 317
26 (9th Cir. 1989); see also Matter of Extradition of Smyth 976 F.2d
27 1535, 1535-36 (9th Cir. 1992); Kamrin v. United States, 725 F.2d
28 1225, 1228 (9th Cir. 1984). The burden of showing special

1 circumstances rests upon the fugitive. See, e.g., Salerno, 878
2 F.2d at 317-18. Here, PONCE VILLANU does not argue that "special
3 circumstances" exist, and the Court finds that no such "special
4 circumstances" exist.

5 2. The government alternatively requests detention on
6 the grounds that PONCE VILLANU presents an unacceptable risk of
7 (a) flight; and (b) danger to the community, even if such special
8 circumstances were present. In support of its request, the
9 government proffers the sworn extradition complaint, the
10 provisional arrest warrant, and the Pretrial Services report.
11 Based on the allegations in the extradition complaint concerning
12 PONCE VILLANU's offenses in Mexico, the Court finds that PONCE
13 VILLANU poses a potential risk to the safety of the community.
14 Based on the allegations in the extradition complaint concerning
15 PONCE VILLANU'S substantial ties to Mexico and Mexican
16 citizenship, the Court also finds that PONCE VILLANU is a risk of
17 flight, particularly in light of PONCE VILLANU's apparent lack of
18 ties to this District and the likely immigration consequences to
19 PONCE VILLANU based on the offenses alleged.

20 IT IS SO ORDERED.

21
22 9/30/11
23 DATE

21
22 
23 THE HONORABLE VICTOR B. KENTON
24 UNITED STATES MAGISTRATE JUDGE

24 Presented by:

25 /s/
26 CHRISTINA T. SHAY
27 Assistant United States Attorney
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